

Message Text

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ACTION DHA-02

INFO OCT-01 IO-13 ISO-00 ARA-10 CIAE-00 DODE-00 PM-05
H-01 INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01
SP-02 SS-15 USIA-06 INT-05 OIC-02 /079 W
-----002262 201928Z /53
P 201730Z JUL 77
FM USMISSION GENEVA
TO SECSTATE WASHDC PRIORITY 9442
INFO USMISSION USUN NEW YORK PRIORITY

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E.O. 11652: N/A
TAGS: SHUM
SUBJECT: NGO CONFERENCE ON INDIGENOUS POPULATIONS IN THE AMERICAS

REF: (A) GENEVA 3360; (B) GENEVA 5128; (C) GENEVA 5144;
(D) GENEVA 2609; (E) STATE 147418; (F) STATE 81838;
(G) STATE 103411; (H) GENEVA 5302; (I) STATE 157279

1. MISSION HAS CONFERRED WITH SEVERAL SOURCES KNOWLEDGEABLE ABOUT SUBJECT CONFERENCE IN ORDER TO RESPOND T QUESTIONS RAISED IN REF I. FOLLOWING ARE MISSION'S COMMENTS ON EACH ITEM.

A. AGENDA. ACCORDING TO BOTH NIALL MACDERMOT, INTERNATIONAL COMMISSION OF JURISTS (ICJ) AND LEILA SIEGEL, INTERNATIONAL COUNCIL OF JEWISH WOMEN, NO FORMAL AGENDA HAS BEEN ESTABLISHED TO DATE. MACDERMOT EXPLAINED THAT USUAL PROCEDURE IS TO OPEN CONFERENCE WITH PLENARY SESSION, WHERE GENERAL STATEMENTS ARE MADE ON THE CONFERENCE THEME. THE GROUP THEN BREAKS UP INTO COMMISSIONS, IN THIS CASE THREE, AS CITED IN MINUTES OF NGO SUB-COMMITTEE MEETING. WHICH WERE FORWARDED TO DEPARTMENT IN LATE JUNE, AS INDICATED PARA 7, REF H. GENERAL FORMAT OF CONFERENCE IS ALSO

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MENTIONED IN MINUTES OF OCTOBER 1976 NGO MEETING, COPIES OF WHICH WERE FORWARDED TO THE DEPARTMENT (REF C).

(1) THE THREE COMMISSIONS ON INDIGENOUS PROPULATIONS IN THE AMERICAS WILL FOCUS ON LEGAL, CULTURAL AND SOCIAL, AND ECONOMIC SITUATIONS OF THE INDIANS IN NORTH AND SOUTH AMERICA. THESE DISCUSSIONS WILL BE BASED ON RESEARCH

PAPERS PREPARED MAINLY BY INDIAN ORGANIZATIONS.

(2) IN THE PAST DURING CLOSING PLENARY MEETINGS, CONCLUSIONS REGARDING SITUATION IN EACH COUNTRY HAVE BEEN DRAWN UP FOR CONSIDERATION BY THE STEERING COMMITTEE, WHICH IS MADE UP OF NGO SUB-COMMITTEE MEMBERS ON RACISM AND DECOLONIZATION AND APPROXIMATELY SIX LEADING CONFERENCE PARTICIPANTS. THE STEERING COMMITTEE SUBMITS RECOMMENDATIONS TO THE CONFEREES BASED ON THEIR EVALUATIONS OF THE PLENARY CONCLUSIONS. B. LIKELY TOPICS OF INFORMAL DISCUSSION. WHILE THERE WILL BE SOCIAL GATHERINGS, MISSION SOURCES WERE UNABLE TO IDENTIFY POSITIVELY ANY TOPICS THAT WOULD BE DISCUSSED INFORMALLY. FROM CONVERSATIONS WITH SOME OF THE PLANNERS IT WOULD APPEAR THAT INFORMAL DISCUSSIONS WOULD DEPEND ON THE INITIATIVES OF INDIVIDUAL PARTICIPANTS.

C. RULES OF PROCEDURE. RULES OF PROCEDURE WILL BE CIRCULATED BY CONFERENCE STEERING COMMITTEE. MISSION IS FORWARDING BOOTLEG COPIES OF 1977 DRAFT RULES OF PROCEDURE TO DERIAN AND HEWITT IN THE DEPARTMENT UNDER POUCH REGISTRY NUMBERS 2616059 AND 2616060 RESPECTIVELY. D. NAMES OF PERSONS AND ORGANIZATIONS ATTENDING. NO DEFINITE LIST OF PERSONS OR ORGANIZATIONS ATTENDING IS AVAILABLE TO MISSION AT THIS TIME. IT IS EXPECTED THAT JIMMIE DURHAM OF THE INTERNATIONAL INDIAN TREATY COUNCIL WILL LIMITED OFFICIAL USE

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ATTEND AS WELL AS ROBERT COULTER, ACTING EXECUTIVE DIRECTOR OF THE INSTITUTE FOR DEVELOPMENT OF INDIAN LAW (REF C). IN ADDITION IT IS ANTICIPATED THAT REPRESENTATIVES FROM OTHER US INDIAN ORGANIZATIONS WILL PARTICIPATE. MACDERMOT EXPECTS ATTENDANCE BY ALL MEMBERS OF THE SPECIAL NGO COMMITTEE ON HUMAN RIGHTS, ALONG WITH A SIZEABLE NUMBER OF THE ORGANIZATIONS WHICH WERE ATTACHED TO CONFERENCE INVITATION (REF H).

E. OTHER GOVERNMENTS PARTICIPATING. THIS INFORMATION IS NOT AVAILABLE. IN THE PAST, ACCORDING TO MACDERMOT, APPROXIMATELY 10-15 GOVERNMENTS HAVE PARTICIPATED IN THESE CONFERENCES, INCLUDING THE SCANDINAVIAN COUNTRIES, THE USSR, NEW ZEALAND AND AUSTRALIA. MISSION WAS INFORMED BY CANADIAN, AUSTRALIAN, BELGIUM AND TURKISH MISSIONS THAT THEIR GOVERNMENTS HAVE MADE NO DECISION ABOUT PARTICIPATING IN 1977 SESSION. EACH HAS INQUIRED OF MISSION IF US IS GOING TO ACCEPT INVITATION TO ATTEND.

*. ASSESSMENT OF POSSIBILITY FOR OPEN DISCUSSION

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SP-02 SS-15 USIA-06 INT-05 OIC-02 /079 W
-----033291 221019Z /10/53

P 201730Z JUL 77

FM USMISSION GENEVA

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INFO USMISSION USUN NEW YORK PRIORITY

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C O R R E C T E D C O P Y FOR CLASS /LOU VICE CONFIDENTIAL/

OF HR PROBLEMS IN US, AND RECEPTIVITY OF POTENTIAL
AUDIENCE. SINCE, AS INDICATED ABOVE, MUCH OF THE
INFORMATION REQUESTED BY DEPARTMENT IS NOT AVAILABLE
TO THE MISSION AT THIS TIME, SUCH AN ASSESSMENT IS
DIFFICULT TO MAKE WITH ANY SENSE OF CERTAINTY.
HOWEVER, IT WOULD APPEAR FROM THE VIEWS OF VARIOUS
SOURCES THAT A LARGE MEASURE OF SYMPATHY FOR THE INDIANS
CAN BE EXPECTED. (DURING A RECENT MEETING WITH AMBASSADOR
YOUNG, HRD DIRECTOR VAN BOVEN MENTIONED THE NGO CONFERENCE
AND IMPLIED THAT THERE WOULD BE CONSIDERABLE CRITICISM
OF US TREATMENT OF AMERICAN INDIANS DURING THE SESSION.)
AS EXPLAINED TO MISSION BY SEIGEL AND MACDERMOT, THE DECI-
SION TO HAVE INDIGENOUS POPULATIONS OF THE AMERICAS AS THE
THEME OF THIS YEAR'S CONFERENCE WAS ACCEPTED BY NGO'S WITHOUT
OPPOSITION BECAUSE NONE WANTED TO APPEAR RACIST. ON THE
OTHER HAND, MANY ORGANIZATIONS WOULD WANT US CASE PRE-
SENTED JUSTLY. MISSION WOULD HOPE THAT SUCH ORGANIZATIONS
WOULD WORK DURING THE MEETING TO ASSURE THAT AN EVEN-
HANDED PRESENTATION OF US POSITION IS INCORPORATED IN
MINUTES AND FINAL REPORT. ICJ DIRECTOR MACDERMOT CONTINUES
TO STRESS THT THE UNITED STATES WILL RECEIVE FAIR HEARING
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IN THE LEGAL COMMISSION WHICH HE IS CHAIRING (REF H). HE
ALSO URGES THAT THE UNITED STATES SEND THREE DELEGATES IN

ORDER TO HAVE EACH COMMISSION COVERED BY A US SPOKESPERSON. HIS BELIEF IS THAT SUCH US PARTICIPATIOON WILL TEND TO ASSURE THAT THE TONE OF ANY RECOMMENDATIONS IN THE FINAL DOCUMENT WILL BE WELL MODULATED AND BALANCED.

2. ALTHOUGH VERY LITTLE NEW INFORMATION WAS ADDED TO FACTS ALREADY KNOWN AS A RESULT OF THE PLANNING MEETING HELD HERE JULY 14, THE FOLLOWING RELEVANT POINTS EMERGED FROM CONVERSATIONS ON THAT SUBJECT:

A. THE INDRZN TREATY COUNCIL RECENTLY ORGANIZED A CONFERENCE IN THE US TO PUBLICIZE THE SEPTEMBER SESSION. ACCORDING TO MACDERMOT, TWO THOUSAND INDIANS ATTENDED. WHILE THERE WERE A FEW FROM CANADA AND LATIN AMERICA, PARTICIPANTS WERE PREDOMINANTLY US CITIZENS. DURING THE CONFERENCE IT WAS AGREED TO LIMIT US TO 12 SPOKESMEN AT THE SEPTEMBER SESSION; FOR ALL OF THE AMERICAS THERE WILL BE A TOTAL OF 48. HOWEVER, ATTENDANCE WILL DEPEND UPON AVAILABILITY OF FUNDS.

B. US INDIANS PROPOSED SENDING 200-300 OBSERVERS ALONG WITH WIVES AND CHILDREN BUT WERE DISCOURAGED BY THE NGO'S WHO SAID THEY WOULD BE UNABLE TO HANDLE HOUSING AND LOGISTICS FOR A GROUP THAT SIZE. UNDER SECRETARY GENERAL WINSPEAR TOLD AMBASSADOR VANDEN HEUVEL, HOWEVER, THAT HE HAD BEEN REQUESTED TO MAKE FACILITIES AVAILABLE THAT WOULD ACCOMMODATE UP TO 300 US INDIAN OBSERVERS.

C. MACDERMOT NOTED THAT WORKING PAPERS HAVE BEEN SUBMITTED FOR TRANSLATION. HE HAS REVIEWED US PAPER ON LEGAL ISSUES AND CONSIDERS IT "WELL DONE AND NOT STRIDENT".
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THE PAPER ON BOLIVIA IS MAINLY A HISTORICAL DOCUMENT WHICH, ACCORDING TO MACDERMOT, COULD HAVE BEEN PREPARED IN THE LIBRARY OF A US UNIVERSITY. THE BRAZIL PAPER IS IN PREPARATION.

D. THERE IS A FEELING THAT BY PASSING COMPLAINTS TO THE SOVIETS IN NEW YORK (REF E), INDIAN CAUSE MAY HAVE BEEN SOMEWHAT JEOPARDIZED, ESPECIALLY IF US SHOULD PRESENT FAIRLY AND OPENLY A GOOD CASE OF WHAT THE UNITED STATES IS ATTEMPTING TO DO REGARDING THE INDIANS.

3. MISSION WOULD NOT EXPECT A GREAT DEAL OF SUPPORT FROM OUR WESTERN ALLIES SHOULD THEY PARTICIPATE, BECAUSE THEY ARE NOT WELL INFORMED ABOUT THE INDIAN SITUATION IN THE US. THEIR MAJOR INTEREST NOW IS IN HOW WE WILL APPROACH THE SITUATION, PARTICULARLY SINCE WE HAVE EMPHASIZED THE NEED AND RIGHT TO DISCUSS HUMAN RIGHTS VIOLATIONS WHEREVER THEY MAY OCCUR.

R. MISSION RECOMMENDS THAT AT SUITABLE POINT IN TIME US ACCEPT INVITATION TO SEND GUEST REPRESENTATION TO CONFERENCE, WHICH CAN BE STAFFED PRINCIPALLY BY QUALIFIED MISSION OFFICERS, TO FOLLOW AND REPORT ON PROCEEDINGS. IN ADDITION, WE RECOMMEND THAT ONE EXPERT ADVISER, PREFERABLY NON-GOVERNMENTAL, BE DESIGNATED TO PROVIDE GUIDANCE ON CONTROVERSIAL ISSUES SHOULD THEY ARISE AND REQUIRE SUITABLE RESPONSE. VANDEN HEUVEL

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: RACIAL DISCRIMINATION, FOREIGN POLICY POSITION, PLANNING MEETINGS, MINORITIES
Control Number: n/a
Copy: SINGLE
Sent Date: 20-Jul-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977GENEVA06050
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770258-0291
Format: TEL
From: GENEVA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770739/aaaabhpg.tel
Line Count: 232
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: af280467-c288-dd11-92da-001cc4696bcc
Office: ACTION DHA
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 5
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 77 GENEVA 3360, 77 GENEVA 5128, 77 GENEVA 5144, 77 GENEVA 2609, 77 STATE 147418, 77 STATE 81838
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 26-Nov-2004 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1807003
Secure: OPEN
Status: NATIVE
Subject: NGO CONFERENCE ON INDIGENOUS POPULATIONS IN THE AMERICAS
TAGS: SHUM, SOCI
To: STATE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/af280467-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009